

REMARKS/ARGUMENTS

A. Objection To The Drawings

The specification has been amended to refer to the reference characters 10 and 38. No new matter has been added. Accordingly, it is respectfully submitted that the objection to the drawings is overcome.

B. Rejection of Claims Under 35 U.S.C. §101

Claims 7-12 stand rejected under 35 U.S.C. §101. The preamble of claim 7 has been amended to state that the medium stores machine-readable instructions. Accordingly, it is respectfully submitted that claims 7-12 comply with 35 U.S.C. §101.

C. Rejection of Claims Under 35 U.S.C. §112

Claims 2, 8, 12, 14 and 21 have been amended to overcome the §112 ¶2 rejection. Similarly, claims 6 and 27 have also been amended to be overcome the §112 rejections. Furthermore, the preamble of claim 7 has been amended to overcome the §112 rejection.

D. Rejection of Claims Over Prior Art

Claims 1-4, 6-10, 12-16, 18-23 and 25-27 stand rejected under 35 U.S.C. §102(b) over U.S. Patent No. 4,233,601 (Hankins). With respect to claim 1, nowhere does Hankins disclose determining whether a register of a processor has been updated. Instead, the registers 30-32 of Hankins contended to meet claim 1 are part of a compressed data store 2, i.e., a memory. Accordingly, claim 1 and claims 2-4 and 6 depending therefrom are patentable over Hankins. For similar reasons, claims 7-10 and 12 are also patentable over Hankins.

With respect to claim 13, nowhere does Hankins disclose a processor that includes a register and a storage to store instructions to determine whether the register has been updated. In this regard, registers 30-32 of Hankins are not part of a processor, and they certainly are not part of processor that further includes a storage that stores instructions to determine whether the register has been updated. Accordingly, claim 13 and claims 14-16 and 18 depending therefrom are patentable over Hankins. For similar reasons, claim 19 and claims 20-23 and 25-27 are patentable over Hankins.

Claims 5, 11, 17 and 24 stand rejected under 35 U.S.C. §103(a) over Hankins in view of Nikhil and Hennessy. As to claim 5, this rejection is improper, at least for the reasons discussed above regarding claim 1 from which claim 5 depends. The rejection is further improper, as there is no suggestion or motivation to combine these references. This is so, at least because the portions of Hankins to be combined do not relate to a processor. Nor, as conceded by the Office Action, is there any teaching of multiple contexts in Hankins. This is especially so, as the machine of Hankins performs only one procedure, namely displaying of data.

Furthermore, neither Nikhil or Hennessy teach or suggest saving contents of a register to memory if the register is determined to have been updated. In fact, Hennessy actually teaches away from saving state by copying information to disk, as “a process switch would then take seconds-far too long for a timesharing environment.” Hennessy, p. 439. Instead, Hennessy teaches that the state of multiple processes is stored in main memory at the same time by partitioning the memory. Accordingly, the references teach away from claim 5, and claim 5 is patentable over the proposed combination. For at least the same reasons, claims 11, 17 and 24 are patentable over the proposed combination.

New claims 28-33 are patentable at least for the same reasons discussed for the independent claims from which they depend.

E. Request For Updated PTO Form 892

Applicant respectfully requests an additional Notice of References Cited, PTO Form 892, as the attached PTO-892 to the Office Action does not include a citation to the Nikhil reference used in the Office Action.

In view of these remarks, the application is now in condition for allowance and the Examiner’s prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

Date: August 26, 2004


Mark J. Rozman
Registration No. 42,117
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024-1805
(512) 418-9944 [Phone]
(713) 468-8883 [Fax]



21906

PATENT TRADEMARK OFFICE